CR2012-136944-001 DT

09/25/2012

CLERK OF THE COURT

JUDGE PRO TEM RICHARD ALBRECHT

J. Porter Deputy

STATE OF ARIZONA LARRY TUROFF

v.

JUAN MANUEL ROBLES (001)

DOB: 07/15/1989

MICHAEL S ESKANDER

APO-SENTENCINGS-CCC

APPEALS-CCC

**DISPOSITION CLERK-CSC** 

RFR

US IMMIGRATION AND CUSTOMS

**ENFORCEMENT** 

#### SUSPENSION OF SENTENCE - PROBATION GRANTED

9:49 a.m.

Courtroom SCT 3A

State's Attorney: Larry Turoff
Defendant's Attorney: Andre Warren

Defendant: Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

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OFFENSE: Count 1 (amended) Criminal Impersonation

Class 6 designated felony

A.R.S. § 13-2001, 2006, 701, 702 and 801

Date of Offense: committed on or between 01/01/2011 and 06/30/2012

Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Count 1 Probation Term: 1 year

To begin 09/25/2012.

Condition 5 - If deported or processed through voluntary departure, will not return to the United States without legal authorization during the term of probation, and all conditions remain in effect except for

Condition 8 - Request and obtain written permission of the APD prior to leaving the state.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 1 - \$65.00 per month, beginning 12/01/2012.

PROBATION SURCHARGE: Count 1 - \$20.00 payable on 12/01/2012.

All amounts payable through the Clerk of the Superior Court.

The Court retains jurisdiction for any future restitution hearings.

Condition 18 - Count 1: Be incarcerated in the county jail for 90 day(s), beginning 09/25/2012 with credit for 75 day(s) served.

Report to the APD within 72 hours of release from jail. Comply with all program rules.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.

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2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

The Court has been informed that defendant was born in Mexico. In addition, the Court has been presented with sufficient evidence that defendant has been identified by federal authorities or a 287(g) officer as a person who is unlawfully present in the United States. Pursuant to A.R.S. § 11-1051(C) and Supreme Court Administrative Order 2010-91, the clerk shall send a copy of this order to the United States Immigrations and Customs Enforcement.

The presentence investigation report is filed under this cause number.

FILED: Amended Waiver of Preliminary Hearing with Plea Agreement

9:55 a.m. Matter concludes.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ JUDGE PRO TEM RICHARD ALBRECHT JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)